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CASE PI/5-30958A**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Pamela Shirling  
Type or print namePamela Shirling  
SignatureOctober 8, 2002  
Date**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

EXAMINER: V. BALASUBRAMANIAN

STEPHAN GUTMANN

APPLICATION NO: 10/039,706

UNIT: 1624

FILED: NOVEMBER 9, 2001

FOR: SOLVATES OF PYMETROZINE

Assistant Commissioner for Patents  
Washington, D.C. 20231RECEIVED  
OCT 15 2002  
TECH CENTER 1600/2900**AMENDMENT**

Sir:

This paper is submitted in response to the Office Action mailed June 17, 2002. Please substitute the attached pages of revised claims for the claims pending in the application. A clean copy of the claims is enclosed along with a copy showing the revisions. Applicant's have amended claims 1-3 and 11 in order to obtain allowable subject matter as indicated by the Examiner. Claims 4, 5, 10 and 12 have been cancelled in order to place the application in allowance. However, Applicants intend to file a divisional application for the cancelled subject matter and are only canceling these claims in order to obtain allowance of claims 1-3 and 11 in the pending application.

**REMARKS**

Enclosed herewith are the certified copies of the priority documents as required by 35 U.S.C. §119(b).

Claims 1-5 and 10-12 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants submit that the revised set of claims obviates these rejection. Reconsideration and withdrawal of the same are respectfully requested.